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[COMMITTEE PRINT]

Calendar No.

96th CONGRESS
1st Session

S. 1386

[Report No. 96-__]

To amend and extend the National Foundation on the Arts and the
Humanities Act of 1965, and for other purposes.

IN THE SENATE OF THE UNITED STATES

June 21 (legislative day, May 21), 1979

Mr. Pell introduced the following bill; which was read twice and
referred to the Committee on Labor and Human Resources

September , 1979

Reported by Mr. Pell, with an amendment

[Strike out all after the enacting clause and insert the part
printed in italic]

A BILL

To amend and extend the National Foundation on the Arts and the
Humanities Act of 1965, and for other purposes.

1 Be it enacted by the Senate and House of Representatives
2 of the United States of America in Congress assembled,

1 That this Act may be cited as the "Arts, Humanities, and
2 Museum Services Act of 1979".

3 State humanities councils

4 Sec. 2. (a) Section 7(f)(2) of the National Foundation on
5 the Arts and the Humanities Act of 1965 is amended to read as
6 follows:

7 "(2) In order to receive assistance under this
8 subsection in any fiscal year, a State shall submit an
9 application for such grants at such time as shall be
10 specified by the Chairman and accompany such applications
11 with a plan which the Chairman finds--

12 "(A) designates or provides for the establishment of
13 a State agency (hereafter in this section referred to as
14 the "State agency") as the sole agency for the
15 administration of the State plan;

16 "(B) provides that funds paid to the State under
17 this subsection will be expended solely on programs
18 approved by the State agency which carry out any of the
19 objectives of subsection (c); and

20 "(C) provides that the State agency will make such
21 reports, in such form, and containing such information,
22 as the Chairman may require."

23 (b)(1) Section 7(f)(3) of each Act is repealed.

24 (2) Paragraphs (4), (5), (6), and (7) of such section
25 7(f) are redesignated as paragraphs (3), (4), (5), and (6),

1 respectively.

2 (3)-Paragraph-(8)-of-such-section-7(f)-is-repealed.

3 (e)(4)-Section-7(f)(3)-of-such-Act-(as-redesignated-by
4 subsection-(b))-is-amended--

5 (A)-by-striking-out-``grant-recipient``-each-time-it
6 appears-and-inserting-in-lieu-thereof-``State``;

7 (B)-by-striking-out-``grant-recipients``-each-time-it
8 appears-and-inserting-in-lieu-thereof-``States``;

9 (C)-by-striking-out-``entities``-and-inserting-in
10 lieu-thereof-``States-and-regional-groups``.

11 (2)-Section-7(f)(4)(B)-of-such-Act-(as-redesignated-by
12 subsection-(b))-is-amended-by-striking-out-``grant
13 recipient``-and-inserting-in-lieu-thereof-``State-agency``.

14 (3)-Section-7(f)(5)-of-such-Act-(as-redesignated-by
15 subsection-(b))-is-amended-by-striking-out-``any-entity``-and
16 inserting-in-lieu-thereof-``a-State``.

17 (4)-Section-7(f)(6)-of-such-Act-(as-redesignated-by
18 subsection-(b))-is-amended--

19 (A)-by-striking-out-``grant-recipient``-in-clause-(A)
20 and-inserting-in-lieu-thereof-``group``;

21 (B)-by-striking-out-``grant-recipient``-in-clause-(B)
22 and-inserting-in-lieu-thereof-``State-agency``;

23 (C)-by-inserting-``State``-before-``plan``-in-clause
24 (B);

25 (D)-by-striking-out-``grant-recipient``-in-clause-(C)

1 and inserting in lieu thereof--"group or State agency"--

2 and

3 (E) by striking out--"grant recipient"--each time it
4 appears in the matter following clause (C) and inserting
5 in lieu thereof--"group or State agency"--

6 (5) Section 7(g) of such Act is amended by striking out
7 "entity"--and inserting in lieu thereof--"agency"--

8 AUTHORIZATION OF APPROPRIATIONS

9 Sec. 3. (a) (1) Section 44(a)(1)(A) of the National
10 Foundation on the Arts and the Humanities Act of 1965 is
11 amended by striking out--"years"--and inserting in lieu
12 thereof--"year"--and by striking out--"and 1980"--and
13 inserting in lieu thereof--"and for each fiscal year ending
14 prior to October 1, 1985"--

15 (2) Section 44(a)(1)(B) of such Act is amended by
16 striking out--"years"--and inserting in lieu thereof--"year"--
17 and by striking out--"and 1980"--and inserting in lieu
18 thereof--"and for each fiscal year ending prior to October 1,
19 1985"--

20 (b) Section 44(a)(2) of such Act is amended by striking
21 out--"October 1, 1980"--and inserting in lieu thereof
22 "October 1, 1985"--, by striking out--"years"--and inserting
23 in lieu thereof--"year"--, and by striking out--"and 1980"--
24 and inserting in lieu thereof--"and for each fiscal year
25 ending prior to October 1, 1985"--

1 (e)(1)(A)-The first sentence of section 44(a)(3)(A) of
 2 such Act is amended by striking out "October 1, 1980" and
 3 inserting in lieu thereof "October 1, 1985".

4 (B)-The second sentence of such section is amended by
 5 striking out "years" and inserting in lieu thereof
 6 "year", and by striking out "and 1980" and inserting in
 7 lieu thereof "and for each fiscal year ending prior to
 8 October 1, 1985".

9 (2)(A)-The first sentence of section 44(a)(3)(B) of such
 10 Act is amended by striking out "October 1, 1980" and
 11 inserting in lieu thereof "October 1, 1985".

12 (B)-The second sentence of such section is amended by
 13 striking out "years" and inserting in lieu thereof
 14 "year", and by striking out "and 1980" and inserting in
 15 lieu thereof "and for each fiscal year ending prior to
 16 October 1, 1985".

17 (d)(1)-Section 209(a) of the Museum Services Act is
 18 amended by striking out "fiscal years 1979 and 1980" and
 19 inserting in lieu thereof "the fiscal year 1979 and for each
 20 of the succeeding fiscal years ending prior to October 1,
 21 1985".

22 (2)-Section 209(d) of such Act is amended by striking out
 23 "1980" and inserting in lieu thereof "1985".

24 Arts at the local level

25 See 4-(a)-Section 5(c) of the National Foundation on

1 the Arts and Humanities Act of 1965 is amended by
2 redesignating clause (5) as clause (6) and by inserting after
3 clause (4) the following new clause:

4 “(5) programs for the arts at the local level;
5 and”.

6 (b) Section 5 (c) of such Act is further amended by
7 striking out “clause (5)” and inserting in lieu thereof
8 “clause (6)”.

9 That this Act may be cited as the “Arts and Humanities Act
10 of 1979”.

11 DEFINITION

12 Sec. 2. Section 3 (q) of the National Foundation on the
13 Arts and the Humanities Act of 1965 (hereinafter referred to
14 as the “Act”), is amended by inserting after “American
15 Samoa” a comma and the following: “the Northern Mariana
16 Islands”.

17 PURPOSES OF ARTS GRANTS

18 Sec. 3. (a) Section 5 (c) (1) of the Act is amended by
19 inserting “and cultural diversity” after “American
20 creativity”.

21 (b) (1) Section 5 (c) of the Act is amended by
22 redesignating clause (5) as clause (6) and by inserting after
23 clause (4) the following new clause:

24 “(5) programs for the arts at the local level;
25 and”.

1 (2) The last sentence of section 5 (c) of such Act is
2 amended--

3 (A) by striking out ``clause (5)'' and inserting in
4 lieu thereof ``clause (6)''; and

5 (B) by striking out ``Labor and Public Welfare'' and
6 inserting in lieu thereof ``Labor and Human Resources''.

7 STATE ARTS GRANTS

8 Sec. 4. Section 5 (g) of the Act is amended--

9 (1) by striking out all that follows ``State plan''
10 in the text of paragraph (2) (A) and inserting in lieu
11 thereof a semicolon; and

12 (2) by adding at the end of paragraph (4) the
13 following new subparagraph:

14 ``(E) For the purpose of paragraph (3) (B) of this
15 subsection, the term 'State' shall include, in addition to
16 the several States of the Union, only the special
17 jurisdictions listed in section 3 (g) of this Act having a
18 population of 200,000 or more, according to the latest
19 decennial census.''

20 INTERAGENCY AGREEMENTS

21 Sec. 5. Section 5 (k) of the Act is amended by adding at
22 the end thereof the following: ``The Chairman may enter into
23 interagency agreements to promote or assist with the arts-
24 related activities of other Federal Government agencies, on a
25 reimbursable or nonreimbursable basis, and may use funds

1 authorized for the purposes of section 5 (c) of this Act for
2 the costs of such activities.''.

3 CHALLENGE GRANTS

4 Sec. 6. The matter preceding paragraph (1) of section 5
5 (1) of the Act is amended by inserting ``strengthening
6 quality by'' after ``for the purpose of''.

7 REPEALER

8 Sec. 7. Section 5 of the Act is amended by repealing
9 subsection (m).

10 NATIONAL COUNCIL ON THE ARTS

11 Sec. 8. Section 6 of the Act is amended by inserting
12 after the first sentence of subsection (c) thereof the
13 following: ``The term of office of all Council members shall
14 expire on the third day of September in the year of
15 expiration.''.

16 ACTIVITIES OF THE NATIONAL ENDOWMENT ON THE HUMANITIES

17 Sec. 9. (a) Section 7 (c) (2) of the Act is amended by
18 striking out the word ``icans,'` in the matter in parentheses
19 and by deleting all that follows the first semicolon.

20 (b) The last sentence of section 7 (c) of the Act is
21 amended by striking out ``Labor and Public Welfare'' and
22 inserting in lieu thereof ``Labor and Human Resources''.

23 STATE HUMANITIES COUNCILS

24 Sec. 10. (a) Section 7 (f) (2) of the Act is amended to
25 read as follows:

1 “(2) In order to receive assistance under this
2 subsection in any fiscal year, a State shall submit an
3 application for such grants at such time as shall be
4 specified by the Chairman and accompany such applications
5 with a plan which the Chairmar finds--

6 “(A) designates or provides for the establishment of
7 a State agency (hereafter in this section referred to as
8 the ‘State agency’) as the sole agency for the
9 administration of the State plan;

10 “(B) provides that funds paid to the State under
11 this subsection will be expended solely on programs
12 approved by the State agency which carry out any of the
13 objectives of subsection (c); and

14 “(C) provides that the State agency will make such
15 reports, in such form, and containing such information,
16 as the Chairman may require.”.

17 (b)(1) Section 7(f)(3) of the Act is repealed.

18 (2) Paragraphs (4), (5), (6), and (7) of such section
19 7(f) are redesignated as paragraphs (3), (4), (5), and (6),
20 respectively.

21 (3) Paragraph (8) of such section 7(f) is repealed.

22 (c)(1) Section 7(f)(3) of the Act (as redesignated by
23 subsection (b)) is amended--

24 (A) by striking out “grant recipient” each time it
25 appears and inserting in lieu thereof “State”;

1 (B) by striking out "grant recipients" each time it
2 appears and inserting in lieu thereof "States"; and

3 (C) by striking out "entities" and inserting in
4 lieu thereof "States and regional groups".

5 (2) (A) Section 7 (f) (4) (A) of the Act (as redesignated
6 by subsection (b)) is amended by striking out "Whenever the
7 provisions of paragraph (3) (E) of this subsection apply in
8 any State, that part of any" and inserting in lieu thereof
9 the following: "The amount of each allotment to a State for
10 any fiscal year under this subsection shall be available to
11 each State, which has a plan approved by the Chairman in
12 effect on the first day of such fiscal year, to pay not more
13 than 50 per centum of the total cost of any project or
14 production described in paragraph (1). The amount of any".

15 (B) Such section 7 (f) (4) (A) is further amended by
16 striking out "paragraph (4)" and inserting in lieu thereof
17 "paragraph (3)".

18 (3) Section 7(f)(4)(B) of the Act (as redesignated by
19 subsection (b)) is amended by striking out "grant
20 recipient" and inserting in lieu thereof "State agency".

21 (4) Section 7(f)(5) of the Act (as redesignated by
22 subsection (b)) is amended by striking out "any entity" and
23 inserting in lieu thereof "a State".

24 (5) Section 7(f)(6) of the Act (as redesignated by
25 subsection (b)) is amended--

1 (A) by striking out "grant recipient" in clause (A)
2 and inserting in lieu thereof "group";

3 (B) by striking out "grant recipient" in clause (B)
4 and inserting in lieu thereof "State agency";

5 (C) by inserting "State" before "plan" in clause
6 (B);

7 (D) by striking out "grant recipient" in clause (C)
8 and inserting in lieu thereof "group or State agency";
9 and

10 (E) by striking out "grant recipient" each time it
11 appears in the matter following clause (C) and inserting
12 in lieu thereof "group or State agency".

13 (6) Section 7(g) of the Act is amended by striking out
14 "entity" and inserting in lieu thereof "agency".

15 (d) Section 7 (f) (4) of the Act (as redesignated by
16 subsection (b)) is further amended by adding at the end
17 thereof the following new subparagraph:

18 "(E) For the purpose of paragraph (3) (B) of this
19 subsection, the term 'State' shall include, in addition to
20 the several States of the Union, only the special
21 jurisdictions listed in section 3 (g) of this Act having a
22 population of 200,000 or more, according to the latest
23 decennial census."

24 (e) Section 7 of the Act is further amended by inserting
25 immediately after subsection (h) the following new

1 subsection:

2 “(1) The Chairman is authorized to renovate facilities
3 under this section if (A) the amount of the expenditure of
4 Federal funds for such renovation in the case of any project
5 does not exceed \$250,000, or (B) two-thirds of the members of
6 the National Council on the Humanities (who are present and
7 voting) approve of the grant or contract involving an
8 expenditure for the renovation.”.

9 (f) Section 7 of the Act is further amended by inserting
10 immediately after subsection (1) (as added by subsection (e))
11 the following new subsection:

12 “(j) The Chairman may enter into interagency agreements
13 to promote or assist with the humanities-related activities
14 of other Federal Government agencies, on either a
15 reimbursable or nonreimbursable basis, and may use funds
16 authorized for the purposes of section 7 (c) of the Act for
17 the costs of such activities.”.

18 APPLICATION SUBJECT TO NATIONAL COUNCIL ON THE HUMANITIES
19 RECOMMENDATIONS

20 Sec. 11. Section 8 (f) of the Act is amended by striking
21 out “\$17,500” and inserting in lieu thereof “\$30,000”.

22 ADMINISTRATIVE PROVISIONS

23 Sec. 12. Section 10 of the Act is amended by--

24 (1) inserting in subsection (a) (4) “and culturally
25 diverse” after the word “geographic”; and

(2) by striking out "January" each time it appears in subsections (b) and (c) and inserting in lieu thereof "April".

AUTHORIZATION OF APPROPRIATIONS

Sec. 13. (a) (1) Section 11 (a) (1) (A) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by striking out "years" and inserting in lieu thereof "year" and by striking out "and 1980" and inserting in lieu thereof "and for each fiscal year ending prior to October 1, 1985".

(2) Section 11 (a) (1) (B) of such Act is amended by striking out "years" and inserting in lieu thereof "year" and by striking out "and 1980" and inserting in lieu thereof "and for each fiscal year ending prior to October 1, 1985".

(b) Section 11 (a) (2) of such Act is amended by striking out "October 1, 1980" and inserting in lieu thereof "October 1, 1985", by striking out "years" and inserting in lieu thereof "year", and by striking out "and 1980" and inserting in lieu thereof "and for each fiscal year ending prior to October 1, 1985".

(c) (1) (A) The first sentence of section 11 (a) (3) (A) of such Act is amended by striking out "October 1, 1980" and inserting in lieu thereof "October 1, 1985".

(B) The second sentence of such section is amended by

1 striking out ``years`` and inserting in lieu thereof
2 ``year``, and by striking out ``and 1980`` and inserting in
3 lieu thereof ``and for each fiscal year ending prior to
4 October 1, 1985``.

5 (2) (A) The first sentence of section 11 (a) (3) (B) of
6 such Act is amended by striking out ``October 1, 1980`` and
7 inserting in lieu thereof ``October 1, 1985``.

8 (B) The second sentence of such section is amended by
9 striking out ``years`` and inserting in lieu thereof
10 ``year``, and by striking out ``and 1980`` and inserting in
11 lieu thereof ``and for each fiscal year ending prior to
12 October 1, 1985``.